

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

In Re:

JOSE A HERNANDEZ ORTIZ

Debtor(s)

Case No: 10-11575B

Chapter 13

MOTION TO INFORM AMENDED PLAN

TO THE HONORABLE COURT:

NOW COMES the debtor, through the undersigned attorney, and very respectfully alleges and prays:

1. That today the debtor is filing an amended chapter 13 repayment plan.
2. That the reason for amendment is to increase the base of the plan.

WHEREFORE, it is respectfully requested to this Honorable Court to take notice of the aforementioned.

RESPECTFULLY SUBMITTED.

I HEREBY CERTIFY that a true and exact copy of the foregoing motion has been filed electronically with the Clerk of the Court using CM/ECF systems which will send notification of such to the Chapter 13 Trustee, and we sent copy of this document through regular mail to debtor (s) and all non CM/ECF participants interested parties to their addresses listed on the master address list.

In San Juan, Puerto Rico this 28th day of March of 2011.

JPC LAW OFFICE

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By: /s/ Jose M Prieto Carballo, Esq.

**United States Bankruptcy Court
District of Puerto Rico**

IN RE:

Case No. 10-11575-13

HERNANDEZ ORTIZ, JOSE A

Debtor(s)

Chapter 13

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____

☐ PRE ☐ POST-CONFIRMATION

☒ AMENDED PLAN DATED: 3/28/2011

Filed by: ☒ Debtor ☐ Trustee ☐ Other

I. PAYMENT PLAN SCHEDULE

\$	265.00	x	12	= \$	3,180.00
\$	300.00	x	12	= \$	3,600.00
\$	375.00	x	12	= \$	4,500.00
\$	400.00	x	24	= \$	9,600.00
\$		x		= \$	

TOTAL: \$ 20,880.00

Additional Payments:

\$ _____ to be paid as a LUMP SUM
within _____ with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in addition to the above:

\$ _____ x _____ = \$ _____

PROPOSED BASE: \$ 20,880.00

**III. ATTORNEY'S FEES
(Treated as § 507 Priorities)**

Outstanding balance as per Rule 2016(b) Fee
Disclosure Statement: \$ 2,594.00

Signed: /s/ JOSE A HERNANDEZ ORTIZ
Debtor

Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR \$ _____

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. <u>FIRST BANK OF PR</u>	Cr. _____	Cr. _____
# _____	# _____	# _____
\$ <u>1,100.00</u>	\$ _____	\$ _____

2. ☒ Trustee pays IN FULL Secured Claims:

Cr. <u>FORD MOTOR CREDIT</u>	Cr. _____	Cr. _____
# <u>4303</u>	# _____	# _____
\$ <u>300.00</u>	\$ _____	\$ _____

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. _____	Cr. _____	Cr. _____
# _____	# _____	# _____
\$ _____	\$ _____	\$ _____

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:

FIRST BANK OF PR

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other: _____
☐ Paid 100% / ☐ Other: _____

Cr. _____	Cr. _____	Cr. _____
# _____	# _____	# _____
\$ _____	\$ _____	\$ _____

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)
FAILURE TO TIMELY OBJECT TO THIS PLAN BY A CREDITOR CONSTITUTES A WAIVER OF THE EQUAL MONTHLY AMOUNT METHOD OF PAYMENT 11 USC 1325 (a)(5).

ATTORNEY'S FEES WILL BE PAID AHEAD OF SECURED CREDITORS PER 11 USC 330.

TAX REFUNDS, IF ANY ARE RECEIVED BY DEBTOR, WILL BE TENDERED TO THE TRUSTEE AS PERIODIC PAYMENTS TO FUND THE PLAN UNTIL PLAN COMPLETION IN ADDITION TO PAYMENTS ALREADY PROVIDED HEREIN. IF DEBTOR(S) NEED TO USE ANY PART OF THESE FUNDS, PROPER AUTHORIZATION WILL BE SOUGHT FROM THE COURT FOR SUCH PURPOSE.

DEBTOR WILL CONTINUE DIRECT PAYMENTS TO DSO RECIPIENT

Attorney for Debtor Jose Prieto

Phone: (787) 607-2066

Label Matrix for local noticing
0104-3
Case 10-11575-BKT13
District of Puerto Rico
Old San Juan
Mon Jan 3 15:37:27 AST 2011

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End of Label Matrix
Mailable recipients 13
Bypassed recipients 0
Total 13